Apl F IX 1

Previous References (1941-42 / Pl)

File No III-41

Serial Nos ~~1~~ 1-2

Later References
N(W)41-122-124,138
244 245

GENERAL AND REVENUE SECRETARIAT

Serial Nos 2 to 2

Part B for July 1941

SUBJECT

Bye-laws framed under Sections 51(1)(2) and 82 of the Mysore City Municipalities Act 1933 for regulating temporary structures in Public Streets in the City

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R 2 To the Pl. Secy. Bldg City thro' the Regd & Dy C P & B. and the Concepts Agent No. L 780-82 dated 30th July 1941. Approves of the Bye-laws.

28/8/'41

5228/L 6340/40/P

General and Revenue Secretariat — ML File No — of 1940-41 — [App F III-2

Serial No

From the ML Commnr, Bgh, ~~thro' DSG~~
No C2 C 570/40-41 Dy 30-4-41
Forwards for approval, draft Byelaws framed by the City ML Cl, under sections 81(1) and 82 of the City Metros Act/1933 for regulating temporary structures on public Streets, in the city and requests approval. The Law section will be requested to state whether the Byelaws in question are in order and may be approved

1) 2) No penalty is mentioned ~~4/5~~ for infringement of any of these Bye-laws.

Asst Secy Law (Mcy) 5-5

3/5/41

Law 165/40
6th May 1941

3) These Bye laws are to be framed under Sec 81(1)(2) of the Bgm City Municipality Act (Sub-Section (2) is omitted in the draft — it may be included)

4) The Penal clause may be incorporated for Bye laws under "3 - Regarding temporary structures on public Streets" as in "2 Regarding the Erection of Pandals etc"

5) In other respects, the Bye-laws are in order & may be approved

Law Secretary 3 24/6/41

NOTE—Contn Sheet No 2016

Mr K Kd

Asst Secy Law 4/6 3 25/6/41

6) Hon 2 25-6-41

Bylaws for regulating temporary structures in Public streets in Municipa

5228

File No 111 2 of 1940 42 — General and Revenue Secretariat

Serial No

Worked with a draft G.O for appl

Law Secy) 8 HM 22-7

9 May be approved

Minister) L S G

12 HM 23/7/41

10 HM

11 HM 24-7-41

12 HM 24/7/41

13 Issue

HM 25-7

OFFICE OF THE MINISTER FOR L S G & P H
Date 28/7/41
No 4557

25 JULY 1941

TO, The ml Commnr, Pocis, thro PBh 2
The Do of P Health
The comptroller
RO L780-82 Dy 30-7-41
Approves of the Bylaws

✓ 3 2/8

BANGALORE CITY MUNICIPALITY

No. C2 C 570/40-41. MUNICIPAL OFFICES

Bangalore 26th April 1941

From

S NARAYANA RAO ESQ M A (HONS)
MUNICIPAL COMMISSIONER
BANGALORE CITY

To

H. V NARAYANA RAO, ESQ, B A, LL.B.,
SECRETARY TO THE GOVERNMENT
OF HIS HIGHNESS THE MAHARAJA OF MYSORE
LAW DEPARTMENT, BANGALORE

SIR,

I have the honour to forward herewith for favour of orders of Government a copy of the Draft Bye-laws as approved by the By-law Committee and the Municipal Council at their meetings held on 25-3-1941 and 18-4-1941 for regulating temporary structures in public streets The subject in the first instance came up before the By-law Committee and the Council on 14-11-40 and 14-12-40 respectively and ~~they were~~ it was approved and objections were called for but no objections were received within the scheduled period

Copies of the resolutions of the Bye-law Committee and the Municipal Council are enclosed herein for favour of reference and obtaining the sanction of Government

I have the honour to be,
Sir,
Your most obedient servant,

Forwarded ~~with compliments~~

HONORARY PRESIDENT.

MUNICIPAL COMMISSIONER.

SVS

Minutes of the Proceedings of the Ordinary General Meeting of the City Municipal Council, Bangalore, held on Friday the 18th April 1941 at 8 A.M. in the Council Chamber of the City Municipal Offices, Bangalore.

-- ooo --

Present

W. H. Hanumanthappa, Esqr.,
Honorary President.

1. Mr.V.K.Govindarajulu, B A.,B.L.
2. " N.Kesaviengar,B.A.,B.L.
3. " Ramalal Thiwari
4. " L.S.Raju,M.A.'Hons),B.L.
5. " V.Venkataramanappa
6. " G. Nanjappa
8. " K.Hanumanthiah,B.A.,LL.B.
8. " T. Gangadharaswamy
9. " B. Narasimhiah
10. " V. Venkataswami Chetty
11. " K. Ganga Setty
12. " K.N.Ramaswami,B.A.
13. Mr.K.Shamarajaiengar,B.A.
14. " C.N.Narasinga Rao,B.A.,B.L.
15. " H.R.Guruv Reddy,B.A.,LL.B.
16. " M.A.Gopalaswami Iyengar, M.A.,LL.B.
17. " M.R.Honnappa,B.A ,B.L.
18. " M.K.Narayana Iyengar,B.A.,B.L.
19. " H.C.Suryanarayana Rao
20. " B.Subbiah,B.Sc.,LL.B.
21. " O.S.Nasarulla Sheriff, M.A.,LL.B.
22. " Mirza M.Azizulla Beig
23. " S.N.M. Razvi
24. Dr.B M. Royan,M.D.
25. Mr.V. Chikkayellappa

Absent

1. Mr. R. Subbanna
2. " A.Madhava Iyengar,B.A.
3. Mr. Kota Kamakshiah Setty
4. " A.J.Khaleel,B.A.,B.L.

-- ooo --

svs.

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PROCEEDINGS OF THE BYE-LAW COMMITTEE MEETING

DATED 25-3-1941.

- ooo -

Subject No.3.- Council Resolution dated 15-3-41 referring the draft bye-laws for regulating temporary structures in public streets, to the Bye-law Committee.

RESOLUTION - The draft Bye-laws are approved incorporating the additions in pencil at pages 3 and 4 of the typed Bye-laws

Sd/- L. S Raju,
CHAIRMAN.

- ooo -

"C O P Y"

MUNICIPAL COMMISSIONER. 29/4/41

svs.

G R S App F VI—G 2]

SUBJECT

ab

Diary No of letter replied to

General and Revenue Secretariat

( )

the *194*

Date of issue 8 0 7 194

Signed by M A A

May this be—

(i) printed ?

(ii) treated as a standing order ?

(iii) published in the Gazette English Part ?

(iv) translated ?

(v) placed at the disposal of the press ?

(vi) published in the Gazette Kannada Part ?

Section ml

File No 111-41

Serial No 2

Proceedings of the Government of His Highness the Maharaja of Mysore

Read Letter no C2 C 570/40-41 Dy 30-4-41 from the ml Commr Bangalore city stating that the ml cl have in their meting held on 14-12-40 approved of the Bye laws framed under sections 51(1)(xx) & 82 of the Mysore city mltes Act 1933 ~~Order thereon No~~ for regulating temporary structures in Public streets in the city and requesting sanction thereto

L 780—82/ml 111-41-2

Order no

The Bye laws are approved as revised and appended

P T O

to this order

The ml Commrs requested to print and supply a dozen copies of thes Bylaws to ths office

Hm 2/3/17/41
Secy to Court
Law Dept

To The ml Commrs, Brig. thro PBZ
The Dr of P Health
The Comptroller

List of Enclosures

Copied by

Examined by

WD 087—GPB—40 000—14 11 40

5 By-laws for regulating the conditions on which permissions may be given for the temporary structures on public streets or for projections over public streets (Section 51 (1)(a) and section 82 of the M.C.I. Act. 1923

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1. (a) Deposit of goods or materials temporarily on Lands vested in the Municipal Council.

1. No person shall deposit any goods or materials on any street, drain, aqueduct or other land vested in the Municipal Council, as contemplated under section 144 and 147 of the City Municipalities Act. 1937 without the written permission of the Municipal Commissioner.

2. The amount chargeable for the deposit of goods or materials on any street, drain, aqueduct or other land vested in the Municipal Council, shall be calculated at the rate of one anna per month per square foot of the area occupied and shall be payable in advance.

3. If, the owner of any goods or materials deposited on any street, or place open to the traffic of foot-passengers or vehicles, fails to make suitable arrangements for guarding against danger to traffic, the Municipal Commissioner shall cause a notice to be served on him to make such arrangements within 24 hours after receipt of the notice and on his failure to comply with the notice, the Municipal Commissioner shall enclose a bill of costs for carrying out the work at the owner's expense. The arrangements to be made shall be clearly and definitely specified in the notice.

4. If, within 24 hours after receipt of the said notice, the owner fails to make the arrangements as specified or to show cause why such arrangements should not be made, the Municipal Engineer, Overseer or Surveyor, shall forthwith make the arrangements specified in the notice and recover the cost of the same from the owner according to the procedure laid down in section 95 of the Madras City Municipalities Act. The owner shall have an opportunity within seven days after receipt of the bill to show cause to the said section

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satisfaction of the Municipal Commissioner that the arrangements made were unnecessary.

5. The following is the scale of fees for obstructions and encroachments of different kinds -

(a) For awnings two annas per square foot per month.

(b) For temporary archways across roads -Rupee one per day for each arch on each road.

(c) The fees for obstructions shall be charged at the scales mentioned above and such charges shall be recoverable in the manner prescribed in the ~~Recoveries~~ Act for the recovery of consolidated rates.

(3) Occupation of Public Streets for vending fruits, etc.

6. In such streets or public roads as may be specified and in such parts of the same as may be set apart by the Municipal Commissioner a fee of 6 annas per month, or quarter of an anna per day shall be levied for the temporary occupation of a public street for the sale of articles, e.g., vegetables, fruits, silk and cotton goods or ware, betel leaf, head-loads of fire wood, etc., provided that the Municipal ~~Chief~~ Commissioner may allow the temporary occupation of public streets as not to inconvenience the public and may order the levy of a fee not exceeding 4 annas per square yard per month.

7. Any person who takes out a license for a certain area and subsequently occupies a greater area without taking out a license for the excess so occupied, shall be liable to pay for such excess area an amount calculated at the rate of ten annas per month per ~~square~~ superficial foot of the area so occupied. This amount shall be recoverable according to the procedure laid down in section 95 of the Mysore City Municipalities Act.

2. Regarding the Erection of Pandals or other Temporary Structures on Public Streets.

8. No pandals or other temporary structures for marriage or other purposes shall be erected in any street, lane or public thoroughfare, without the written permission from the Municipal Commissioner. On receipt of application for permission to put up

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to put upsuch structures, specifying the situation size and other particulars, license will be issued by the Municipal Commissioner, if he sees no objection thereto, on such conditions as he may think necessary to provide for the public convenience and safety and on payment of the following fees -

For a pandal 6 feet broad by 12 feet long or not exceeding 72 square feet ..None.

For a pandal, exceeding 72 square feet and not exceeding 150 square feet. .. 8annas.

For every additional 150 square feet or portion 8 annas.

(a) No pandal shall ordinarily be allowed to stand for more than fifteen days.

An extension of time may be granted on payment of one half the original fee, but not so as to exceed a month from the commencement.

(b) If on the expiration of the time allowed in the license, or the period granted in extension thereto on special application, the person that puts up the structure does not remove it, the Municipal Commissioner may issue a notice to the defaulter for its removal within such time as may be fixed by him in each case, at the end of which time, he may have it removed and the cost of such removal shall be recoverable from the defaulter as a Municipal demand.

(c) Any breach of this Bye-law will, on conviction, subject the offender to a penalty not exceeding Rs. 5/- for the first offence and Rs. 10/ for each subsequent offence.

(d) Provided that in the case of pandals intended for purposes of charity or public utility, permission may be granted free of charge, but the period of its existence shall not exceed 15 days.

3. Regarding the projections over public streets.

9. (a) No weather-board, sun-shade, shop-board or any other projection shall be allowed in any street which is less than 15 feet in width.

(b) In streets which are not less than 15 feet in width, a ma

permission may be granted for the putting up of weather-boards, sun-shades, shop-boards, etc., not exceeding 2½ feet in breadth.

10. In streets which are more than 30 feet wide, the weather boards, sun-shades, shop-boards etc., may be not more than 3 feet in width.

11. The weather-boards etc., shall always be of non-inflamable material like zinc sheets or asbestos Cement sheets.

12. The fees for weather-boards etc , xxx for every half-year payable in advance shall be as follows -

One rupee for every weather-board etc., not exceeding 2½ feet in width and 10 feet in length or fraction thereof.

Two rupees for every weather-board etc., not exceeding 3 feet in width and 10 feet in length or fraction thereof.

13. The weather-boards, sun-shades, etc., shall not be less than 8 feet high from the plinth of the building or surface of the streets.

-ooo-

Municipal Commissioner.

29/9/41

14. Any breach of this Bye-law will, on Conviction, subject the offender to a penalty not exceeding Rs 5/- for the first offence and Rs 10/- for each subsequent offence.

H Hemachalam
for secretary
Law Deptt